

**UNITED STATES OF AMERICA,** )  
)  
**Plaintiff,** )  
)  
**vs.** ) **Case No. 3:13-cr-30206-DRH**  
)  
**TYLER ANDREW BERGLAND,** )  
)  
**Defendant.** )

The United States of America and the Defendant having both filed a written consent, appeared before me pursuant to **Federal Rule of Criminal Procedure 11(c)(1)(C)** and SDIL Rule 72.1(b)(2). The Defendant entered a plea of guilty to Counts 1 and 2 of the Indictment.

After cautioning and examining the Defendant under oath concerning each of the subjects mentioned in Rule 11, I determined that the guilty plea was knowing and voluntary as to each count, and that the offense charged is supported by an independent factual basis containing each of the essential elements of such offense. I therefore recommend that the plea of guilty be accepted, that a presentence investigation and report be prepared and if the District Court accepts the Plea Agreement pursuant to **Federal Rule of Criminal Procedure 11(c)(1)(C)** that the Defendant be adjudicated guilty and have sentence imposed accordingly.

s/ Donald G. Wilkerson  
DONALD G. WILKERSON  
United States Magistrate Judge

The failure to file a written objection to this Report and Recommendation within fourteen (14) days from the date of service shall bar an aggrieved party from challenging this Report and Recommendation before the assigned U.S. District Judge. 28 U.S.C. 636(b)(1)(B).